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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,981	05/09/2001	Andrea Olgiati	B-4089PCT	1339

7590

02/07/2005

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EXAMINER

MEONSKE, TONIA L

ART UNIT PAPER NUMBER

2183

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/762,981	<b>Applicant(s)</b> OLGIATI ET AL.	
	<b>Examiner</b> Tonia L Meonske	<b>Art Unit</b> 2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 3-10, 12-15, 17, and 18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Porter et al., US Patent 4,589,067, cited as a prior art reference in paper number 6, filed on May 9, 2001.

3. The rejections are respectfully maintained and incorporated by reference as set forth in the last office action, mailed on April 2, 2004.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Porter et al., US Patent 4,589,067, cited as a prior art reference in paper number 6, filed on May 9, 2001, in view of Stoney, US Patent 6,237,079.

6. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Porter et al., US Patent 4,589,067, cited as a prior art reference in paper number 6, filed on May 9, 2001, in view of Hennessy, Computer Architecture A Quantative Approach, Second Edition, Morgan Kaufman Publishers, Inc., 1996.

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7. The rejections are respectfully maintained and incorporated by reference as set forth in the last office action, mailed on April 2, 2004.

***Response to Arguments***

8. Applicant's arguments filed November 24, 2004 have been fully considered but they are not persuasive.

On page 9, Applicant argues in essence:

*"The Examiner finds that, with regard to claim 1, Porter discloses all of the claimed limitations. We have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference. Claim 1 is directed to a computer system having first and second processors wherein the second processor consumes instructions derived from the first processor through a decoupling element. In the system of Porter, on the other hand, the floating point vector processor (i.e. the second processor) does not consume instructions derived from the host computer (i.e. the first processor): a tightly-coupled mode, a loosely-coupled mode, and an uncoupled mode. In the tightly coupled mode the vector processor 10 is interfaced to the host computer and "software, resident in the host, controls system data acquisition, function evaluation in the pipeline and output data writes to the host". In the loosely-coupled mode the vector processor downloads and then operates on data received through I/O ports. In the stand-alone mode software resident internally in the vector processor is used for function evaluation and data input/output. Thus, the different coupling modes differ solely in the manner by which software become available to the vector processor (and hence how it is accessed by the master processing unit 12 of the vector processor). Once this software is made available, the function of the vector processor with respect to the host computer is the same (col. 4, l. 54-) and it consists of performing "computationally intensive functions" on data received from the host computer. Thus, the vector processor does not receive instructions from the host computer but rather only receives data upon which it performs preprogrammed algorithms or functions. We thus respectfully submit that Porter does not in fact anticipate claim 1, and request that the Examiner kindly withdraw this rejection."*

Applicant is correct that the vector processor receives data from the host computer. A complete instruction must include the data, or information, on which to operate on.

When the host computer sends data to be operated on, the host computer is instructing the coprocessor, or vector processor, on which data to use. The instructions in the vector

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processor are not complete without receiving the instructions for which data to operate on from the host processor. So in the uncoupled mode, the host processor instructs the vector processor on which data to use. Therefore, the instructions from the Host processor that instruct the vector processor on which data to use are consumed by the vector processor. Therefore Porter does in fact anticipate claim 1 and this argument is moot.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

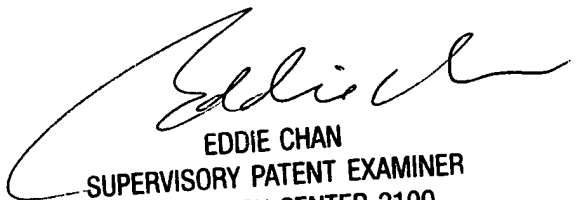
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tonia L Meonske whose telephone number is (571) 272-4170. The examiner can normally be reached on Monday-Friday, 8-4:30.

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12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie P Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

tlm



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